

GOVERNMENT OF TELANGANA

ABSTRACT

SCDD - Welfare of Scheduled Castes and Scheduled Tribes - Atrocities against Scheduled Castes and Scheduled Tribes - Scheme for Relief and Rehabilitation of the SCs/STs (Prevention of Atrocities) Act, 1989 and rules framed there under - Enhancement of compensation - Revised Orders -Issued.

SCHEDULED CASTES DEVELOPMENT (POA) DEPARTMENT

G.O.MS.No. 8.

Dated:13-05-2015.

Read the following:

1. G.O.Ms.No.3, Social Welfare(H1) Department, Dt:16.1.1996.
2. From the Joint Secretary, Govt. of India, Min(SJ&Emp), D.O.Letter No. 11012/2/2008-PCR (Desk), dt:20.01.2012.
3. G.O.Ms.No.22, Social Welfare (POA) Department, Dt.16.06.2012
4. From the Director (SCD), Govt. of India, Min(SJ&Emp), No. 11012/3/2013-PCR(DESK), dt:10.07.2014.
5. From the Director, Govt. of India, National Commission for Scheduled Castes Letter No.20/4/14/TS-RU, dt.11.09.2014 along with its enclosures.

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ORDER:

In the G.O 1st read above, the State Government have been following the guidelines issued by the Government of India enhancing the relief and rehabilitation measures. Accordingly the Scheduled Castes / Scheduled Tribes victims of atrocities and their dependents are being paid compensation of cash relief and other rehabilitation measures for various offences committed by the members belonging to the Castes other than Scheduled Castes / Scheduled Tribes under the relevant sections of the scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act, 1989 as indicated in the Annexure-1 of the said order.

2. In the G.O 3rd read above, the Government has again enhanced compensation of cash relief and other rehabilitation measures for various offences committed by the members belonging to the castes other than Scheduled Castes / Scheduled Tribes under the relevant Sections of the Scheduled Caste / Scheduled Tribes (Prevention of Atrocities) Act, 1989 as indicated in the Annexure -I thereto, by following the guidelines issued by the Government of India vide reference 2nd read above.

3. The Director, GOI, Min(SJ&Emp), Director SJ&Emp vide his letter 4th read above, while furnishing the Gazette Notification has stated that consequent upon review of the existing relief amount to atrocity victims, prescribed in the Schedule to the POA Rules, 1995, as amended in December 2011 vide the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) (Amendment) Rules, 2011, the Central Government after consultation with the State Governments/Union Territory Administrations, concerned Central Ministries, National Commission for Scheduled Castes, has further amended in the POA Rules, by which the relief amount to atrocity victims has been further increased by 50% (i.e. between Rs75,000/- to Rs.7,50,000/- depending upon the nature of offences). Accordingly, the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) (Amendment) Rules, 2014, have been notified in the Gazette of India, Extraordinary, Part-II, Section 3, Sub Section(i), on 23.06.2014.

4. The Director, Govt. of India, National Commission for Scheduled Castes vide letter 5th read above has communicated the Scheduled Castes and

[p.t.o...]

Scheduled Tribes (Prevention of atrocities) (Amendment) Rules, 2014 notified in the Gazette of India, Extraordinary, Part-II, Section 3, subsection (I) on 23.06.2014 and requested to enhance compensation to atrocity victims as per the said notification & forward a copy of the order to the Commission.

5. Government after careful examination of the entire matter in detail have decided to amend the SCs and the STs(POA) Rules, 1995 as notified by the Govt. of India vide their notification dated 23.06.2014, effecting the enhancement to the minimum relief amount for victims of atrocities. Accordingly, the Government hereby amend the SCs and the STs(POA) Rules, 1995 as notified by the Govt. of India vide notification dated 23.06.2014, enhancing the relief amount to the atrocity victims as per the annexure to this order.

6. Government direct that the enhanced relief and rehabilitation measures as at annexure to this order, as ordered in para (5) above, shall come into force with effect from 23.06.2014.

7. The Government also exempts any expenditure under this scheme from treasury control.

8. This order issues with the concurrence of Finance Department vide their No.97/IFS/15, dated:02.02.2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**J.RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)**

To:

The Director, SCDD,TS, Hyderabad.

All the District Collectors.

The Commissioner, Tribal Welfare, TS, Hyderabad.

The IGP (PCR Cell), TS, Hyderabad.

The Commissioner of printing, Stationery & Stores Purchase, Telangana, Hyderabad(with a request to publish in Telangana Gazette & to furnish 500 copies)

The Commissioner, I&PR Department. (with a request to give wide publicity in the Print and Electronic media.)

Copy to:

The Director General of Police, TS, Hyderabad.

All Superintendents of Police.

The Accountant General, TS, Hyderabad.

The Director of Backward Classes Welfare, TS, Hyderabad.

The Commissioner of Panchayat Raj, TS, Hyderabad.

The Secretary to Government of India, Ministry of
(Social Justice & Empowerment), GOI, New Delhi.

The Director, Government of India, National Commission for Scheduled
Castes, Ameerpet, Hyderabad.

The Finance(EBS.III) Department.

The P.S to Chief Minister.

The P.S to Spl. Secretary to CM.

The P.S to Adviser for Welfares.

The P.S to Prl. Secretary, SCD Dept.

The P.S to Principal Secretary, Tribal Welfare Dept.

The P.S to Spl. Secretary(IF), Finance Department.

The P.S to Prl. Finance Secretary to Government, Finance Department.

S.F/S.C.

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE TO G.O.Ms.No.8 SCHEDULED CASTES DEVELOPMENT (POA)
DEPARTMENT, Dt:13.05.2015.

Sl. No.	Name of the Offence	Minimum amount of Relief
1.	Drink or eat inedible or obnoxious substance [Section 3(1)(i)].	Rs.90,000/- or more depending upon the nature and gravity of the offence to each victim and also commensurate with the indignity, insult, injury and defamation suffered by the victim. Payment to be made as follows: I. 25% when the charge sheet is sent to the court II. 75% when accused are convicted by the lower Court.
2.	Causing injury insult or annoyance [Section 3(1)(ii)].	
3.	Derogatory Act [Section 3(1)(iii)].	
4.	Wrongful occupation or cultivation of land etc [Section 3(1)(iv)].	At least Rs.90,000/- or more depending upon the nature and gravity of the offence. The land or premises or water supply shall be restored where necessary at Government cost. Full payment to be made when charge-sheet is sent to the court.
5.	Relating to land premises and water [Section 3(1) (v)].	
6.	Begar or forced or bonded labour [Section 3(1)(vi)]	At least Rs. 90,000/- to each victim. Payment of Rs.25% at FIR stage and 75% on conviction in the lower court.
7.	Relating to Right to franchise [Section 3(1)(vii)]	Upto Rs.75,000/- to each victim depending upon the nature and gravity of the offence.
8.	False, malicious or vexatious legal proceedings [Section 3(1)(viii)].	Rs.90,000/- or reimbursement of actual legal expenses and damages or whichever is less after conclusion of the trial of the accused.
9.	False and frivolous information [Section 3 (1)(ix)]	
10.	Insult, intimidation and humiliation [Section 3(1)(x)]	Upto Rs.90,000/- to each victim depending upon the nature of the offence Payment of 25% when charge sheet is sent to the court and rest on conviction.
11.	Outraging the modesty of a women – [Section 3(1)(xi)].	Rs.1,80,000/- to each victim of the offence. 50% of the amount may be paid after medical examination and remaining 50% at the conclusion of the trial.
12.	Sexual Exploitation of a woman [Section 3(1)(xii)]	
13.	Fouling of water [Section 3(1)(xiii)].	Upto Rs.3,75,000/- or full cost of restoration of normal facility, including cleaning when the water is fouled. Payment may be made at the stage as deemed fit by District Administration.
14.	Denial of Customary rights of a passage [Section 3(1)(xiv)]	Upto Rs.3,75,000/- or full cost of restoration of right of passage and full compensation of the loss suffered if any. Payment of 50% when charge sheet is sent to the court and 50% on conviction in lower court.
15.	Making one desert place of residence [Section 3(1)(xv)]	Restoration of the site or right to stay and compensation of Rs.90,000/- to each victim and reconstruction of the house at Government cost, if destroyed. To be paid in full when charge sheet is sent to the lower Court.
16.	Giving false evidence [Section 3(2)(i) and (ii)]	At least Rs.3,75,000/- or full compensation of the loss or harm sustained. 50% to be paid when charge sheet is sent to the court and 50% on conviction by the lower

		court.
17.	Committing offences under the Indian Penal Code punishable with imprisonment for a term of 10 years or more [Section 3(2)(V)]	At least Rs.1,80,000/- depending upon the nature and gravity of the offence to each victim and or his dependents. The amount shall vary if specifically otherwise provided in the Schedule.
18.	Victimization at the hands of a Public Servant [Section 3(2)(vii)]	Same as the compensation Payable, if the accused was not a public servant.
19.	<p>Disability. The definition of disability shall be as given in Section 2 of the persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Act, 1995, and guidelines for their assessment shall be as contained in the Ministry of Social Justice & Empowerment, GOI, Notification No.154, dt.01.06.2001, as amended from time to time. A copy of the Notification is at Annexure-II to the Schedule.</p> <p>(a) 100% incapacitation</p> <p>(i) Non- earning member of a Family</p> <p>(ii) Earning member of a Family</p> <p>(b) Where incapacitation is less than 100%</p>	<p>At least Rs.3,75,000/- to the each victim of offence. 50% on FIR and 25% at charge sheet and 25% on conviction by the lower court.</p> <p>At least Rs.7,50,000/- to each victim of offence, 50% to be paid on FIR or Medical Examination stage, 25% when charge- sheet sent to court and 25% at conviction in lower court.</p> <p>Provided that an amount of not less than Rs.60,000/- from the amount payable to non –earning member of a family and an amount of not less than Rs.1,20,000/- from the amount payable to an earning member of a family may be reduced.</p>
20.	<p>Murder or Death</p> <p>(a) Non-earning Member of a family</p> <p>(b) Earning Member of a family</p>	<p>At least Rs.3,75,000/- to each case. Payment of 75% after postmortem and 25% on conviction by the lower court.</p> <p>At least Rs.7,50,000/- to each case. Payment of 75% after postmortem and 25% on conviction by the lower court.</p>
21.	Victim of murder, death massacre, rape, mass rape and gang rape, permanent incapacitation and dacoity	<p>In addition to relief amounts paid under above items, relief may be arranged within three months of date of atrocity as follows:</p> <p>(i) Pension to each widow and / or other dependents of deceased SCs and STs @ Rs.4,500/- per month, or employment to one member of the family of the deceased, or provision of agricultural land, an house, if necessary by outright purchase.</p> <p>(ii) Full cost of the education and maintenance of the children of the victims. Children may be admitted to Ashram Schools or Residential schools.</p> <p>(iii) Provisions of utensils, rice, wheat, dals, pulses etc. for a period of three months.</p>
22.	Complete destruction or burnt houses	Brick or stone masonry house to be constructed or provided at Government cost where it has been burnt or destroyed.

J.RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)